

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:13-cv-299-RJC**

**MICHAEL A. GADDY,**

**v.**

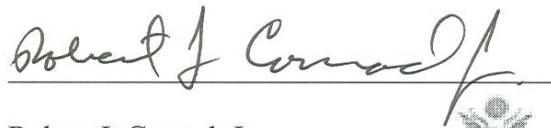
**ROBERT A. SPRAGUE, Police Officer;  
ZACHARY M. RIGGAN, Police Officer;  
T.E. GROSSE, II, Police Officer,**

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**THIS MATTER** is before the Court on consideration of Plaintiff's "Motion to Challenge Defendant's Facts of the Events of August 9, 2012." (Doc. No. 18).

On June 19, 2013, the Court entered an Order dismissing Plaintiff's complaint, filed pursuant to 42 U.S.C. § 1983, without prejudice, and the Clerk of Court entered Judgment on that same day. (Doc. Nos. 7 & 8). The Court first observes that the defendants were never served with process in this matter, nor did they make an appearance, therefore there are no facts from the defendants that are before this Court to consider. Second, this civil action has been dismissed and judgment entered thereon, therefore Plaintiff's motion to challenge defendants' facts will be denied.

**IT IS, THEREFORE, ORDERED** that Plaintiff's motion to challenge defendants' facts of events is **DENIED**. (Doc. No. 18).



Robert J. Conrad, Jr.  
United States District Judge

